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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/768,515	01/30/2004	Bhanwar Singh	AMDP999US/H1920	6654
23623 7590 03/27/2008 AMIN, TUROCY & CALVIN, LLP 1900 EAST 9TH STREET, NATIONAL CITY CENTER 24TH FLOOR, CLEVELAND, OH 44114				
EXAMINER RUGGLES, JOHN S				
ART UNIT		PAPER NUMBER		
1795				
NOTIFICATION DATE		DELIVERY MODE		
03/27/2008		ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10768515	1/30/04	SINGH ET AL.	AMDP999US/H1920

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EXAMINER

John Ruggles

ART UNIT	PAPER
1795	20080318

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Commissioner for Patents

The reply brief filed on 8/27/07 is noted by the Examiner and this application is before the Board of Patent Appeals and Interferences (BPAI) for a decision on the appeal.

It is further noted that Appellants have again misunderstood the grounds of rejection relied upon by the Examiner (as previously indicated in the 6/27/07 Examiner's Answer, especially pages 4-8 and 13-17). In particular, on pages 2-4 of the reply brief, Appellants continue to argue against art rejections of claims 1-3 under 35 USC 102(b) alone, but the art rejections (of claims 1-3) actually relied upon by the Examiner are under 35 USC 102(b)/103(a) in alternative form, based on the inherency of prior art mask structure(s) to function in the manner recited by the instant claims.

Appellants' further arguments are unpersuasive and it is still believed that the rejections should be sustained.

/John Ruggles/
571-272-1390

/Gregory L. Mills/
Supervisory Patent Examiner, Art Unit 1700
Director's Designee for Supplemental Answers